



PATENT
Docket No. 844,004-263
(Former docket no. 269/132)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Eric PROPHET

Serial No.: 10/072,656

Filed: February 7, 2002

For: STICTION ALLEVIATION USING
PASSIVATION LAYER
PATTERNING

Group Art Unit: 2811

Examiner: Loke, Steven Ho Yin

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AMENDMENT AND RESPONSE

BOX AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed on January 3, 2003, Applicant submits
the following amendments and remarks.

In the Specification

Please delete the first paragraph on page 6 of the specification and insert the
following replacement paragraph:

a1
--Referring to Figure 2, a variable MEMS capacitor according to an embodiment
of the invention is shown. The MEMS capacitor is similar to the MEMS structure in
Figure 1, but further comprises a bottom electrode 115 on the substrate 15 and

CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service
on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C.
20231.

Date of Deposit

1/24/03

Denise N. Doss